

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RONALD J. ALLISON,

Plaintiff,

v.

LAS VEGAS METRO POLICE
DEPARTMENT,

Defendant.

Case No. 2:22-cv-00265-GMN-EJY

ORDER

I. DISCUSSION

On February 11, 2022, Plaintiff, an inmate currently located at the Clark County Detention Center, submitted what appears to be a proposed civil rights complaint under 42 U.S.C. § 1983. ECF 1-1. However, Plaintiff's submission does not comply with Local Special Rule 2-1. Plaintiff also did not submit an application to proceed *in forma pauperis* or pay the \$402 filing fee in this matter.

A. Plaintiff's Initiating Document

The Court notes that Plaintiff's document at ECF No. 1-1 does not comply with Local Special Rule 2-1 ("LSR 2-1"). Under LSR 2-1, a civil rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by the court or must be legible and contain substantially all the information called for by the court's form. Plaintiff's complaint does neither.

B. There is No Application to Proceed in Forma Pauperis

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis*, which allows the inmate to file the civil action without prepaying the \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed Application to Proceed in Forma Pauperis for Inmate, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

1 (2) a **Financial Certificate** properly signed by both the inmate and a facility or jail official
2 (i.e. page 4 of this Court's approved form), and

3 (3) a copy of the **inmate's facility or jail trust fund account statement for the previous**
4 **six-month period.** If Plaintiff has not been at the facility a full six-month period, Plaintiff
5 must still submit an inmate account statement for the dates he has been present at the facility.

6 **II. ORDER**

7 IT IS HEREBY ORDERED that the Clerk of the Court will send Plaintiff the approved form
8 for filing a § 1983 complaint, instructions for the same, and a copy of his original document at ECF
9 No. 1-1.

10 IT IS FURTHER ORDERED that on or before **March 17, 2022**, Plaintiff must file a complaint
11 in compliance with LSR 2-1.

12 IT IS FURTHER ORDERED that the Clerk of the Court will also send Plaintiff the approved
13 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled
14 information and instructions for the same.

15 IT IS FURTHER ORDERED that on or before **March 17, 2022**, Plaintiff will either pay the
16 \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52 administrative fee)
17 or file with the Court:

18 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's
19 approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page
20 3),

21 (2) a **Financial Certificate** properly signed by both the inmate and a facility or jail official
22 (i.e. page 4 of this Court's approved form), and

23 (3) a copy of the **inmate's facility or jail trust fund account statement for the previous**
24 **six-month period.** If Plaintiff has not been at the facility a full six-month period, Plaintiff
25 must still submit an inmate account statement for the dates he has been present at the facility.

26 IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint in compliance with
27 LSR 2-1 and a complete application to proceed *in forma pauperis* with all three required documents
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1 or pay the \$402 filing fee for a civil action on or before **March 17, 2022**, the Court will recommend
2 dismissal of this action without prejudice for Plaintiff to refile the case with the Court, under a new
3 case number, when Plaintiff is able to file a complaint in compliance with LSR 2-1, has all three
4 documents needed to file a complete application to proceed *in forma pauperis* or pays the \$402 filing
5 fee.

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7 DATED this 15th day of February, 2022.

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10 ELAYNA J. YOUCHAK
11 UNITED STATES MAGISTRATE JUDGE
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